

BRUCE H. LEVITT, ESQ.
LEVITT & SLAFKES, P.C.
76 South Orange Ave. - Suite 305
South Orange, New Jersey 07079
(973) 313-1200
BY: BRUCE H. LEVITT, ESQ. (BL9302)
ATTORNEYS FOR DEBTOR

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In re:	:	Case No.:08-13191 DHS
	:	
PHILIP L. MERRILL,	:	Chapter 13
	:	
	:	REPLY TO OPPOSITION OF
	:	LMS SERVICES, INC. TO
	:	CONFIRMATION
Debtor.	:	
	:	
	:	

Debtor, Philip L. Merrill, replies to the opposition of LMS Services, Inc. to confirmation for the reasons that follow:

1. LMS Services, Inc. has objected to confirmation claiming the real property located by the debtor in the state of New York is worth \$235,000.00. In support an appraisal is attached.

2. Page three of the appraisal states "this appraisal is made subject to the extraordinary assumption that the subject property could be approved as a building lot".

3. The property has not been approved as a building lot.

4. No comparables have been provided to support the valuation of the property in its current condition. The debtor has provided a valuation to the trustee which indicates a value of \$25,000.00. The debtor owns a one half interest.

5. Accordingly, the opposition must be rejected.

LEVITT & SLAFKES, P.C.

Attorney for Debtor

By: /s/ Bruce H. Levitt

BRUCE H. LEVITT, ESQ.

Dated: January 12, 2008